

Assembly Concurrent Resolution

No. 231

Introduced by Assembly Member Pescetti

(Coauthors: Assembly Members Aanestad, Ashburn, Bates, Bogh, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Dickerson, Hollingsworth, Kelley, La Suer, Leach, Leonard, Maddox, Mountjoy, Robert Pacheco, Rod Pacheco, Richman, Strickland, Wyland, Wyman, and Zettel)

July 3, 2002

Assembly Concurrent Resolution No. 231—Relative to the Pledge of Allegiance.

LEGISLATIVE COUNSEL'S DIGEST

ACR 231, as introduced, Pescetti. Pledge of Allegiance.

This measure would urge the Governor and the Attorney General to take immediate action to participate as defendants in the case of *Newdow v. U.S. Congress* relating to the Pledge of Allegiance.

Fiscal committee: yes.

- 1 WHEREAS, On June 26, 2002, the 9th U.S. Circuit Court of
- 2 Appeals vacated the judgment of dismissal in *Newdow v. U.S.*
- 3 *Congress* (No. 00-16423), holding that the words “under God” in
- 4 the Pledge of Allegiance violated the establishment clause of the
- 5 First Amendment to the United States Constitution; and
- 6 WHEREAS, The State of California was named as a defendant
- 7 in that case and the Governor and the Attorney General chose not
- 8 to defend the state in the case; and
- 9 WHEREAS, All possible resources are needed to defend the
- 10 Pledge of Allegiance, a valuable civic tradition and a monument

1 to American values, against this litigious assault; now, therefore,
2 be it

3 *Resolved by the Assembly of the State of California, the Senate*
4 *thereof concurring*, That the Legislature urges the Governor and
5 the Attorney General to take immediate action to participate as
6 defendants in the case of Newdow v. U.S. Congress; United States
7 of America; William Jefferson Clinton, President of the United
8 States; State of California; Elk Grove Unified School District
9 (EGUSD); David W. Gordon, Superintendent of the EGUSD;
10 Sacramento City Unified School District (SCUSD); and Jim
11 Sweeney, Superintendent of the SCUSD; and be it further

12 *Resolved*, That the Chief Clerk of the Assembly transmit a copy
13 of this resolution to the Governor and the Attorney General.

